

The N E A T Alternative

Introduction

This New Environmental Assessment Toolkit (NEAT) was developed as part of the Cooks River Environmental Assessment and Education Project (CREAEP) undertaken in Sydney's Cooks River Catchment. Assessment officers conducted over 1700 environmental assessments of non-scheduled industrial premises across the catchment in less than 12 months. This toolkit was instrumental in helping them achieve this goal.

With a small team of six environmental assessment officers for most of the project, and one Project Officer responsible for the assessment team and one Project Manager, the task of not just 'doing assessments' but getting actual on-the-ground improvements from each of the premises was an extraordinarily large challenge.

This became more difficult as no one on the team was authorised to require the recommended changes under the *Protection of the Environment Operations Act 1997* (POEO Act).

The Cooks River Valley is home to most of the 'old industry' of Sydney, dating back to the mid 19th Century, much of it characterised by antiquated and often inappropriate infrastructure and 'dyed-in-the-wool' ways of doing things. To add to the challenge of communicating the need for environmental protection, the valley is also home to one of the most ethnically diverse populations in Australia – many of whom have arrived from countries in which pollution control and environmental protection are not high priorities.

Fortunately, it was recognised early on in the project that these challenges called for a new approach to the training of the assessment officers in the Cooks River Environmental Assessment and Education team. The focus was on:

- people, and getting the best results from them through the use of powerful communication principles and techniques for quickly building rapport and trust
- key assessment skills, such as observation and strategic questioning.

What you are about to share in is the product of that new approach, which having been road-tested over the life of the project, has proved to be an extremely successful tool in engaging and building bridges with people in industry, many of whom may have long stood beyond the reach of a positive relationship with their local authority.

Despite the enormity of the task, which demanded long hours of the team in the pursuit of what might otherwise have been an unreachable goal (can you imagine doing more than 200 intensive audits of all kinds of industrial premises, by yourself, in less than 8 months?) the assessment side of the Project has proved to be very successful.

How Successful?

Most of the premises revisited have carried out nearly all of the works recommended to them by their assessment officer. Many have done all of the work and spent significant sums of money in doing so, and most are happy to be making a contribution to their environment, their business and their community.

So, welcome to NEAT. We hope you get enough ideas, skills, techniques and principles out of this kit to equip yourself to be as fully effective in your role as you can be.

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NEAT: Getting the Best from People

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Introduction to neuro linguistic programming

What is neuro linguistic programming (NLP)?

- NLP – is the study of Human Excellence
- NLP – is the Ability to be your best more often
- NLP – is a powerful practical approach to personal change

NLP studies the essence of achievement or success of all kinds. It was created during the 1970s by Richard Bandler, a Computer Scientist and John Grinder, a well known Professor of Linguistics.

Bandler and Grinder studied the subjective experience, the inner world, the mental maps of people who were masters of their fields. They wanted to know precisely how extraordinarily successful people used their brains to get such remarkable results. As a result they were able to identify the essential thoughts, feelings, behaviours and beliefs that made these leaders so powerfully influential, and a way to model human excellence was born.

Within NLP these extraordinary mental programs that lead to successful, even masterful behaviour can be taught to others to make dramatic changes in their lives.

NLP has many applications in the business world: managing people, sales, negotiating, real estate, telemarketing, education, therapy or any career where being a superb communicator is essential to success.

The jargon

NLP is the acronym for *Neuro Linguistic Programming*. Neuro refers to our nervous system, the mental pathways of our five senses by which we hear, see, feel, taste and smell.

Linguistic refers to our ability to use language and how specific words and phrases mirror our mental worlds. Linguistic also refers to our silent language of posture, habits and gestures that reveal our thinking styles, beliefs and values.

Programming is borrowed from computer science, and suggests that our thoughts, feelings and actions are simply habitual programs that can be changed by upgrading our 'mental software'.

Modelling excellence

To get a better understanding of how NLP helps us model human excellence, let's take a look at a real life example – in snow skiing.

Until the 1950s people thought that skiing was a matter of natural talent. Skiers were told to follow a more experienced skier down the slope, doing whatever he or she did. If they survived this without too many broken bones they were considered a good candidate, possibly even a natural.

Then something happened that completely changed this way of thinking. Professor Hall made films of several skilled skiers in the Swiss Alps. Researchers studied the films, frame by frame and isolated the smooth motions of skiing into what they called isolates, or the smallest units of behaviour. Looking at skiing this way they found that although the skilled skiers had many different styles they were all using the same isolates.

When these isolates were taught to beginners or average skiers their skiing immediately improved. Everyone could improve their skiing by copying the movements or essence of what good skiers did naturally. **In NLP that essence is called a Model.**

Presuppositions of NLP

1. The map is not the territory
2. There is a positive intention behind every behaviour
3. People work perfectly
4. Choice is better than no choice.

For many people learning NLP is a new way of coming to understand what you already 'know'. It's a guide to your own programs, a systematic way of making use of your own resources and of harnessing your abilities and strengths. It is also learning how to communicate freely and clearly to yourself and others.

One of the most important principles to remember when managing your interactions with people is that we aren't all using the same 'maps'.

How to read people

Uptime

When consciousness is directed inwards we call that state DOWNTIME. Downtime can be useful for many forms of creative work and for meditation and reflection. It is a private place, where you communicate with yourself, not others.

When your consciousness is focused externally, on what you see, hear, and touch you are in UPTIME. This focus wipes out your inner agenda for a while, those secret messages you're constantly computing in the form of words, images and self talk.

Getting into uptime is a way of energising yourself, turning on to the world. Go out, look, listen and sense with your body and come alive! Notice the trees on the street, the gait of people walking, the wind or sun or rain against your skin, the sounds of traffic, water rushing or people talking.

Uptime exercise

Touch your left temple and remember that you are aware of your internal sensations – images, thoughts, sounds, words you say to yourself.

Now touch your right temple. This time you are aware of only external experiences: the colours, the shapes of objects in the room, the textures of furniture, the shapes of windows, temperature, breezes, the sounds coming from outside yourself.

Touch your left temple and remember that you are aware of your internal sensations – images, thoughts and sounds, words you say to yourself.

Now touch your right temple. This time you are aware of only external experiences: the colours, the shapes of objects in the room, the textures of furniture, the shapes of windows, temperature, breezes, the sounds coming from outside yourself.

Get up and walk around. When you have each switch under control practise going back and forth, from internal to external and back again. Get it down so that just a light touch moves you instantaneously from one world of experience to the other.

Find someone in the room to talk to – one person talks about how they came to be at the workshop – while the other practises flicking from outside to inside during the conversation. Then exchange roles.

Recognise that the ability to go from downtime to uptime is under your control and available to you at all times.

Reading people

Calibration is ‘reading’ another person, knowing what to pay attention to and which specific behaviours reveal a person’s state of mind or feeling. It’s like looking for clues.

Try focusing your conscious mind on another person (other-orientation). Calibrating another means being curious to take in all the clues, signs, and data that the other person gives out, without making interpretations or judgements – it is simply about observing. This then gives you the information you need to become more flexible, and persuasive in your communication. Be aware of changes, mainly.

Calibration

Look for changes in:

- Gestures
 - Posture
 - Facial line
 - Colour of face & neck
 - Muscle tension & relaxation
 - Widening and narrowing of eyes
 - Expansion or contraction of lips
 - Colour changes in outline of lips
 - Breathing (faster/slower; deeper/shallower)
- Volume
 - Pitch
 - Tempo
 - Pauses Rhythm

For specific changes in posture, pay attention to the positioning of shoulders, head and spine. When you’re looking and listening for this type of information, you are aiming your attention outward. You move into UPTIME and become other-oriented.

Calibrating people is not only one of the most fascinating and totally absorbing things you can do, it is also the most effective means for establishing the groundwork of communication.

CALIBRATION EXERCISE

In groups of three:

Step 1

- A Think of someone you like
- B 'Takes a picture' of A – file
- C Observes / feeds back information

Step 2

- A Think of someone you dislike
- B 'Takes a picture' – file
- C Observes / feeds back information

Step 3

- A Think of someone you either like or dislike
- B Calibrate A – which person is he/she thinking of?

Step 4

Apply these principles to a typical working situation by presenting an 'acceptable' message to your partner and then contrasting with an 'unacceptable' message. Briefly summarise the specific changes you calibrated in your partner in response to both messages.

Rapport: How to speak the other person's language

Sharing 'Rapport' is like jumping inside another person's nervous system and suddenly understanding the way they make sense of reality.

Being in 'Rapport' is miraculous because it opens up a whole new world of possibilities, opportunities and relationships. It creates those things that up till now may have been unobtainable. Without Rapport life literally doesn't work.

Fortunately Rapport is a skill that can be learned rather quickly – you don't need a PhD to become good at it, but you do need commitment and a genuine desire to learn the skills and go out there and practise it.

Think about this for a minute:

Aren't you attracted to people who are like you or to whom you'd like to be like?

When you are with someone who is the opposite of you, do you feel an urgency to become a friend of that person?

The 1st rule of rapport is like attracts like.

In our experience of life we all depend on all our senses to give us our picture of what reality is. We just don't have any other way of evaluating what is out there without the five sensory channels. They are the source of our reality.

Blended together these senses create a frame of reality that belongs to us alone – like looking at our reality on a TV screen – each is a different picture with different data or signals going in. We lean on that particular sense for representing much but not all of our experience. We never stop using our other senses – it's just that gradually we come to develop a preference for one of them.

So if we represent experience for the most part visually, we could say we were primarily **Visual**. If we make sense of experience largely through the sense of sound, we call ourselves **Auditory** and if feeling/touching supplies us with most of our perceptions, we would be primarily **Kinaesthetic**. These particular preferences for different senses helps account for why people experience the same thing differently.

Visual

Visual people are movers and shakers and are constantly 'on the go'. It is easy to find them in professions which allow visual expression.

The Visual personality usually has a very expressive voice that is usually enthusiastic and high pitched. Visuals have very fast processing times (you talk at the rate you think) and their level of patience as a result is not overwhelming. They can sometimes seem a little insensitive.

Though all of us have a mix of visual, kinaesthetic and auditory systems, we tend to use words (that are called Processing words) that are closely in line with our dominant Representational System. Here's an example: You've just given a Visual person a piece of information, here's how they might respond:

Can you picture that? ... I must look into that ...

That's clear to me ... do you see what I mean?

Auditory personalities

Auditory personalities relate to the world by the ways things sound. Sounds can send them into pure ecstasy or total madness.

Auditories are usually very willing to listen to another's story and they have an ability to listen so intently and thoroughly that information is processed in their minds without needing to be converted to feelings or pictures. They enjoy dialogue, with others and themselves as well and they have an innate ability to put thoughts into dialogue in their own head. Because of this they are sometimes very independent, but can also be very lonely. Auditories are emotionally sensitive and tend to hold on to their emotions for a longer period of time than visuals. Auditory personalities aren't quite as energetic as visuals,

and they are more deliberate in their movements. They admire elegant speech and graceful attitudes.

In terms of how they use language to process their thoughts, typical phrases might be:

Can we talk ... Can you hear what I'm saying

Tell me about it ... That's clear as a bell to me.

That rings true with me ... That doesn't sound right to me...

Kinaesthetic

If you value sensitivity above all else the Kinaesthetic individual is someone you should get to know. These people love to be known and respected for being in touch with their feelings.

They will surprise you with their ability to reflect back to you your experience of joy love, hurt, happiness and sadness. They love to feel – for the most part they truly enjoy being in rapport because it gives them a solid, ground of being to feel from. They translate visual images and acoustic sounds into feelings for themselves and those around them.

Kinaesthetics tend to be attracted to occupations that support their use of feelings such as manual tasks that require a 'hands on' approach or where internal feelings are attached to their work. They tend to speak slowly with long pauses in their sentences, that's because they are trying to access their feelings even as you speak.

Kinaesthetics won't take a position before they check it with their feelings and they'll abandon their position if it doesn't agree with their sense of things. One of the pitfalls of a Kinaesthetic is their difficulty to deal with negative feelings, where they tend to get stuck in a vicious cycle of emotions. Typical language of a Kinaesthetic type would include:

I have a gut feeling that ...

I can sense you're right ... Let's touch base later

I can't get a handle on that ...

Conversational modalities

Most people use one dominant modality to express themselves in conversation. The key here is to speak to them in the modalities they offer you. For instance:

Visual: Everything seems so clear to me

Auditory: That idea has a nice ring to it.

Kinaesthetic: You seem like a warm caring person.

So how can you use the type of language people use to develop instant rapport?

As we've seen you can identify a person's Representational System by observing which words they use. Kinaesthetics use feeling process words. Auditory personalities use sound or hearing ones while Visuals use picture words.

CONVERSATIONAL EXERCISE

Ask your partner about their last vacation. Then listen to the way that they describe it. What you'll notice is that they will describe their vacation in the modality that is their primary modality.

1. Person A describes their last holiday and B and C predict what Representational System they are. Pick out their phrases and words. Write them down.
2. Ask them questions
3. Feedback to them the 'wrong' and then the 'right' language and note their reactions.
4. Repeat procedure with B and C.

Creating instant rapport: physiological matching

The theory of Rapport (University of Pennsylvania 1970) suggests that within the process of communication:

- words comprise only 7%
- voice tonality and volume comprise 38%
- body language or physiology, 55%

These figures suggest that 93% of our total communication occurs at the unconscious level. How then do you begin to establish communication with a person's unconscious mind, because that's the key.

We become like them – and this is the process of matching and mirroring.

When people are like each other they like each other.

When people are not like each other, they don't like each other.

As 93% of our communication is tone of voice and physiology, most of our communication is outside our conscious awareness. A tremendous opportunity exists for communication outside of normal channels, and that's what rapport is all about.

Physiology: matching and mirroring

Matching and mirroring the behaviour of the people around you is a completely natural act. It is something that you have been doing since birth. *It is the way that you learned to walk and talk.*

Whole body matching

This is where you adjust your body to a similar stance and posture of the other person. For instance, if you're sitting in a chair across from a person you want rapport with and they have their legs crossed at the knee, you can cross yours at the ankle. (If you mimic someone exactly they might catch you out).

When the position of the other person changes, you can take up to 30 seconds to adjust your position, just make sure that you move in the most natural way you can.

What features can we match and mirror?

Posture – tilt of the head/curvature of spine

Facial Expression – pay close attention to what you've learned in sensory acuity

Gestures – when you're talking – not when they're talking

Breathing – when someone is talking they are breathing out, so you breathe out and when they take a breath you take a breath.

Blinking – if a person blinks like this 'blink blink blink' you do that – not at the same time ... subtle ... out of awareness.

The purpose is not to make fun of somebody but to have this occur outside their awareness. Remember if this happens inside a person's awareness it's not the right use of Rapport.

Cross matching

Cross matching is where you can match the other persons posture, stance, or gestures by doing them with the opposite part of your body. For instance if someone crosses their legs you can cross your arms.

They are tapping their foot you could tap your finger. This is a great way to covertly match somebody's body. The best part about it is that it indirectly matches something that the other person is probably not conscious of anyway.

Gestures

All of us have movements or gestures that are a natural part of our expression. For example the way we use our hands when we talk or point our finger when we're making a point. Try to notice the other person's gestures and work them into your own natural gestures.

If you're talking to someone and you notice for instance that when they offer a new idea that they gesture with their hand open and palm facing up, when you want to offer a new point use this same gesture. If you minimise this gesture it will have a strong effect and appear as your own natural gesture.

Part matching

The idea of part matching is to match one particular repetitive movement of only one part of the body. This may be as simple as licking your lips.

Another aspect of part matching is matching the angle someone holds their head and shoulders.

Matching facial expressions is also outside of the conscious awareness of the person you are facing and is very effective.

One of things that enables you to gain rapport with people is OBSERVATION.

OBSERVATION EXERCISE

Hold up your hand – notice everything else in the room other than your hand.

Lights, wall, floor, furnishings, people, notice how much more you're aware if you look at everything but that which is front of you.

Half matching

Much more subtle – cut your matching in half

Make it easy for people to follow you

Notice their posture and the tilt of their head.

Allow yourself to feel the greater sense of connection when you do these exercises.

If you cut it in half no one will ever work out what you're doing ...

The best part is that you don't have to do it immediately. You can wait 20 or even 30 seconds so its covert. They will unconsciously recognise that it's their gesture – so you can use a time delay.

Rapport is a very powerful process that works at the unconscious level, bridges cultural gaps and all sorts of issues and makes it very simple to communicate your information or ideas to people.

What you're doing is taking complete consideration of the other human being and their model of the world, allowing yourself for a moment in time to see the world through their eyes.

Do you think that would help you understand them better?

PERIPHERAL VISION EXERCISE

This exercise will help you to by-pass a lot of the observations and judgements that you're taking in on a conscious level and begin to take it in on a more unconscious level. Then you get a clearer signal.

Now try doing your observations with your Peripheral Vision with not so much focus in front of you, because from the sides you can detect more movement.

Get back together and sit at a 45-degree angle.

Begin to mirror your partner.

It will help to mirror them not so directly as if you were looking at them head on....you can face them but look off to the side.

Are you getting more of a sense for the person? You'll notice that when you get into rapport with someone they will start to move so that you're in the visual spot where they keep people they like.

Pacing and Loading

Refers to meeting the other person where they are, at the moment. It means aligning yourself with the other person in his or her particular way of understanding the world. This doesn't mean agreeing with it, necessarily, but respecting it. You're joining them in the same rhythms, speaking the same language, talking about the same topics, 'being with' them in their mood. This creates and maintains a strong sense of Rapport.

The skills you use to Pace are Uptime, Calibration, Matching tone, tempo, posture and Backtracking.

PACING EXERCISE

A – In a bouncy mood

B – In a quiet mood

C – Observer

Trying matching the other person in physiology, tone and tempo.

Do this for 5 minutes ... now slowly begin to change your tempo and posture, still paying attention to them and backtracking them, but retaining the changes.

It is important to be sincere and want the best for the person.

Do this for 3 minutes and notice what happens ...

Pacing and Leading 2

Whenever you want to elicit a change in a person – first observe the person for a while, listen to the type of language he/she is using and the tempo (fast or slow) of the words.

Watch their posture, gestures and eye movements, Pay close attention. Think how whatever you want could also benefit him or her.

Backtrack the person, matching language, posture and tempo. You are now 'pacing' the person. Do this for 5 minutes

Begin *Leading* the other. Add onto your backtrack, whatever it is that you want the other person to do, using a different language or tempo or posture. Choose the posture, tempo that most accords with your outcome.

Talk about how what you want would also benefit the other. Be sincere when you do this.

PLAY WITH THIS ... go into a certain state and see what happens... crank it up if you like ... it's about how you start shifting your state, and you do this when you're in touch with them.

Vocal pacing

This requires matching and pacing the qualities of someone's voice.

The analogue components of a voice, or the parts that are VARIABLE includes:

- Tone
- Intensity
- Tempo
- Volume

How do you get into rapport with someone based on a minimum of information – in fact, the way they answer the phone?

You match their voice tempo, tone, and volume immediately so that the voice that they hear on the phone sounds remarkably like their voice coming to you.

Voice has different components ...

Tone – is the pitch of the voice and you can raise the pitch of the voice so it goes up really high or really low.

Tempo – Or you can vary the speed ... Matching tempo is very important. It is also one of the easiest things to adjust.

Volume – can be very loud to very soft, it is best to match approximately the volume of the person your speaking with.

When pacing somebody's tone of voice, adjust your voice **slightly** towards his or her tone.

You need to get to the point where you are really listening to what people are saying.

Indicators of rapport

- The very first thing you will experience is a feeling inside, like 'butterflies' or a sense of connectedness
- The person you have rapport with will change skin colour. A shift from lighter to darker
- The other person may say something like 'have we met before', or 'we must have known each other in a past life'.
- This doesn't always happen
- The person will follow our lead.

There are particular words or phrases that people will repeat in their conversations. They will say the same words and phrases in many different contexts.

If you notice these words and phrases and use them in your conversation with them, you will be able to get into deep rapport. They will feel as if you understand them.

Using advanced language patterns

In the English language there are three ways of using inflection.

Let's go out.....Statement

Let's go out.....Question

Let's go out.....Command

If you use the grammatical structure of a question but go down with the inflection at the end – you actually make it a command...

Backtracking

YOU know what you're saying. You know how to get your message across. You have learned to expand your means of communicating by matching tonality, language and matching and mirroring.

Excellent, but what about communication in the other direction? Are you sure that you are getting the message that was intended?

The simplest and most direct way of checking whether or not you've understood what the other person said or meant to say is by **backtracking**.

Another name for this is reflective listening. It is also the most effective way to check whether your own communication has been understood.

Backtracking is summarising what the other person has said in your own words and repeating the other's key words and phrases.

This doesn't mean repeating the message word for word but doing a recap, marking out the essential ideas by reiterating the important words and phrases.

In backtracking, you listen for words that are repeated often or are marked by a shift in tonality, tempo, posture, or gesture, including facial expressions.

Remember that people will show you what to listen for. They stab the air or circle their fingers along narrowing rings of a spiral until they touch down on the table or armrest. They'll press their hands together, open their eyes wide, wiggle their feet, or breathe deeply and then suddenly speed up their breathing and make it shallow, like a diver coming up from the depths.

Whatever the particular behaviour, you'll notice when something is being underlined by sudden shifts in action, tonality, and tempo.

This means you must be paying close attention to the other person, looking and listening for the important cues. When you feel that a substantial amount of information has been given and you want to check that you have understood it, ask the person who is speaking if you can check if you fully understand what he/she is saying.

Begin the backtrack with the words:

'If I understand you correctly ...'

You could also use a slightly different phrase: - 'So what you mean is ...'

'What you're getting at is ...' or something like that.

You don't have to stick to a strict formula, though for most people 'if I understand you correctly' is one that works best.

The art of negotiation

One of the most powerful and the most under-utilised management tools that are at our disposal is the art of negotiation.

Who has never been involved in the process of negotiation?

Think about how your daily life's activities, from the moment you awake until you fall asleep at the end of the day, is a continuous series of ongoing negotiation.

Examples

- Can I use the car to drive to work or do I need to catch public transport?
- Will you tidy the kitchen so I can attend that early meeting. If I promise to cook tea tonight?
- Can you spare Bruce today from his policy work so that we can finalise the agenda for Wednesday's meeting?
- Can we discuss the bonus that you promised, now that I have completed my six-month performance trial?
- The POEO Act requires compliance with this new standard and I need to get an agreement from you as to when all remedial work will be completed.

How often have you felt that you had all the correct information but still you failed to successfully negotiate a fair outcome for your organisation or yourself?

By applying the skills that we have introduced today we assure you that your success in negotiating a WIN/WIN situation in all areas of your life will be significantly improved.

Lets look at the various ways that this can be achieved.

Negotiation can be broken down into three distinct steps:

PLANNING

THE PROCESS

TACTICS

Planning

Step 1 Determine your outcome

As simple as it sounds, many negotiators fail to undertake this elementary first step and arrive for a meeting totally unaware of the MUSTS that are required to meet their objective.

It could be a single outcome as in YES or NO or a very complex range of sensitive issues that have to be systematically addressed to avoid confrontation with the other party.

We are going to categorise the outcomes into three classes.

1. Mandatory
2. High value and
3. Optional value

These options reflect the categories that are used to prioritise pollution control/environmental protection works in the Schedule of Works issued to the business manager.

In negotiating, it is imperative that we achieve **Category 1** in order for our negotiation to succeed. This is our reason for being.

Category 2 is important in that every gain will make the final strategies easier to attain and we will either strive to achieve them or to accept some minor changes that will not disadvantage the final goal.

Category 3 includes items that do not have a direct impact on our operational results but are often used to sweeten negotiations. We can be seen to be giving some ground in the interest of achieving a WIN/WIN situation.

Step 2 Be flexible

Be sure to avoid a fixed position from which you refuse to budge. This is the fastest way to an impasse or stalemate. If you persist, it may only result in you being replaced by a more senior (and hopefully more skilful) colleague in the continuing negotiations.

In negotiation with your organisation formulate a range of options that allows you to move within it to progress negotiations. Have them listed in summary form so that you can easily refer to them and respond quickly.

Step 3 Identify potential areas of agreement

Although you have not yet formally met the other party, it may be possible to research the likelihood of common ground on which to start your negotiations. For example, is there a log of claims, has correspondence been received providing clues as to what likely hurdles need to be addressed? Picture yourself in the other person's shoes and try to understand their needs and concerns.

From this list, you can prioritise on the three categories and compare their potential list to yours.

Highlight the areas of potential agreement.

Step 4 Identify issues to be resolved and plan how to discuss them

Once you have identified the Category 1 issues, you need to develop a plan using the techniques demonstrated earlier today, to ensure that agreement can be achieved.

Follow this with Category 2, realising that perhaps not all of the results in this category may be fully achieved.

Step 5 Determine the best alternative to an agreement

If agreement cannot be reached on every issue that is needed, consider the next best outcome for your organisation.

For example, whilst there may not be an unconditional agreement to stop sandmining and dumping spoil, it is possible to arrange a moratorium for

twelve months while further studies are carried out. This could provide an ideal time buffer to communicate further with the other party and allow you to apply your strategy towards a final successful outcome.

The process

A. Tactics

Establish Rapport

Rapport is established by matching and mirroring, as discussed earlier in the workshop. The major elements of Rapport are:

1. Physiology 7%

- Posture
- Gestures
- Facial expression and blinking
- Breathing

Tonality 38%

- Voice (pitch, speed, quality and loudness)
- Content chunks

Words 7%

- Predicates
- Key word
- Common experience and associations

2. Confirm there is a basis for negotiation

If the other party is unwilling to yield on any point, there can be no negotiation and the process does not commence. This is rare, as with the communication skills that you are now able to demonstrate, you will be able to establish and maintain rapport to clearly demonstrate potential benefits to them that make negotiation worthwhile.

3. Qualify the other negotiator by use of a pro forma.

Using language skills and techniques, it is possible to ascertain whether the other negotiator is able to commit to any agreements that may be reached.

For example 'I want to make sure that we have the basis for negotiation What is your purpose for ...?'

Establish the other negotiator's outcome.

Search for the likely outcome that your opposing negotiator is seeking, again through language techniques. For example, 'Suppose that we can successfully conclude our negotiations so that we are both in a stronger position, how would you (see, feel, ...) this outcome from your point of view?'

B. Exchange

1. State areas of agreement
2. State issues to be resolved
3. Probe for other's outcomes in areas of disagreement
4. Develop options that include both parties outcomes:
 - Remind the other of shared interests
 - Ask for help in developing options
 - Ask for preference among several options
 - Emphasise objective standards for selecting an option.
5. Get agreement on the best option and move to close.

C. Close

Summarise agreement and action plan.

Tactics

1. Do not respond to a proposal with a counter proposal
2. Invent options for mutual gain WIN/WIN dovetail outcomes
3. Avoid attack/defence exchanges
 - Treat their proposal as one option. Probe for the outcome behind it
 - Treat your proposal the same way. If attacked, probe for the outcome behind the attack.
4. Avoid 'irritators' – value judgements and statements that unfairly favour your preferred options.
5. Separate intention from behaviour
6. Label suggestions and questions
7. Use "I" language rather than be accusing
8. State your reasons first before making a proposal (not the reverse).
9. Anticipate objections – Handle in advance.
10. Behavioural flexibility – The Law of Requisite Variety.
11. Minimise giving reasons when stating an option. The other party can seize on the weakest link as a basis for rejection.

12. Test understanding and summarise
13. Tell the other your feelings
14. Don't negotiate with your team in front of the other team. Ask for a break or reschedule another meeting.
15. If you get stuck
 - a. stop doing what you are doing
 - b. generate at least three options for doing something else
 - c. choose the best and go with it.

Handling objections

The following techniques are useful in meeting objections.

To practise these techniques, take note of experienced speakers on television current affairs programs and marvel at the skills that they display in dealing with the seemingly impossible 'ambush'.

These are the techniques that they often employ to great effect, however satisfy yourself that they are ethical and warranted in the context in which you are operating:

1. Ignore them
The simplest approach is to continue along another line of subject and act as if the question never arose.
2. Restate and validate using the agreement frame.
3. Clarify by using pointers.
The pointers will uncover complex equivalents that may open new options.
4. Some options to resolve:
 - Exaggerate
 - Conditional close
 - Devise an acceptable option that handles the objection.
 - Out frame.
5. Options when the objection hasn't been cleared after five minutes.
 - Go on to other issues
 - "Let's act as if we were in binding arbitration".
 - "Act as if you were me".

In addition, the use of 'Sleight of Mouth' is an excellent NLP technique that we can use to disarm the other party.

[End of Day 1]

Day 2

NEAT: Getting the most from your Assessments

New environmental assessment toolkit: an introduction to the methods

Why do an assessment program?

The old maxim 'If you can't measure it, you can't manage it' holds true for environmental professions perhaps more than any other field. Undertaking a planned, coordinated, systematic, documented and repeatable program of environmental assessment is arguably the only way for local authorities to get a handle on the risks to the state of their environment.

Marrickville Council have produced a start-up kit for councils seeking to undertake an Environmental Assessment program. The kit provides a solid rationale for undertaking such a program, which is outlined below.

General objectives of the assessment program are for the council to:

- Carry out an environmental assessment of industries not licensed by the NSW Environment Protection Authority (EPA)¹
- Promote environmental protection through cooperation with business;
- Provide comprehensive educational material for businesses to encourage better environmental practices
- Provide face-to-face education and information relating to environmental management issues
- Advise businesses of their legal obligations
- Give appropriate advice to the business in order to rectify environmental problems
- Identify areas of non-compliance and issue a Schedule of Works to ensure compliance with environmental legislation
- Exchange information with other government agencies including the Department of Environment and Conservation (NSW) (DEC) WorkCover NSW, Sydney Water and other local councils to ensure a comprehensive approach to regulation
- Build a database of information gathered from assessed businesses to provide information for reporting purposes
- Provide information to other officers and sections within the council.

¹ The EPA is a statutory body with specific powers under environment protection legislation. In September 2003, the EPA became part of the Department of Environment and Conservation (DEC).

Environmental auditing and assessment – what, why and how

Environmental Auditing

What and Why

Environmental Auditing was first undertaken by large petrochemical and resource extraction companies in the 1970s. Based on the model of financial/efficiency auditing, the emphasis was on documentation verification, coupled with operational assessments of site management systems and activities. The overall purpose was to allow a company to get a handle on the level of environmental risk (and through this, its financial liabilities) associated with its activities.

Since then, environmental auditing has grown into a major management tool and is applied around the world on a range of scales, from the very large to the very small. As well as being applied on a different scale, the tool has also grown into many different kinds of environmental audits tools used for a range of purposes:

- Compliance Audits – determining the level of compliance with current legislation, approvals, codes and permits
- Environmental Management System (EMS) Audit – is undertaken against the requirements of an EMS standard such as ISO 14001, EMAS or BS 7750. (One criticism of EMS certification is that the standard and the certification of a company does not have to look at the broader aspects and impacts of a company's operations or products, especially in terms of such things as the efficacy of its products. Therefore in theory, a company making lead balloons or chemical weapons could have a certified EMS).
- Due Diligence Audit – assesses the effectiveness of the management system in demonstrating that all reasonable precautions would have been taken in the event of an offence occurring or having been committed.
- Waste Audits – identifying and assessing opportunities for waste elimination, reduction, reuse or recycling and not looking at other environmental or sustainability issues.
- Environmental Management Audit – determining conformance with specified requirements and the capacity of the management systems to minimise the risk of environmental impacts arising from site activities.

This last group, the Environmental Management Audit is the most common and forms the basis for the Environmental Assessment model undertaken by local government in NSW. (NB: Under the *Protection of the Environment Operations Act 1997*, only the EPA can undertake environmental 'audits' as such, so even if local government applies the same methodology, the process will be called an environmental 'assessment'. So from now on we'll refer to them as *Environmental Assessments*).

How

There are many ways of doing Environmental Assessments, but there are some key principles that define them as distinct from reactive inspections, site visits and reviews, such as for compliance against Building Approvals or Development Consents.

These principles are:

Systematic – the assessment must be systematic and comprehensive, usually starting at one end of the operation and finishing ‘out the back’ (where almost every site or premises has at least a few ‘forgotten’ issues – and some of the cleanest, ISO9000 certified manufacturing plants can have a ‘little shop of horrors’ ‘down the back fence’)

Documented – the assessment needs to be documented so that performance of the site or premises management can be measured over time. This is important for many reasons:

- It provides invaluable baseline information on site history, which may be very useful in prosecutions.
- It allows Council to demonstrate the effectiveness of its assessment program, through both a demonstration of the need for one and in real, on the ground changes that will follow, and
- If/when you leave the job, if there is no systematic record of assessment of the files you were managing, your unit and the council will have to waste resources regaining that knowledge.

The best way of documenting the assessment (AND in providing the necessary structure for the systematic assessment) is to use a comprehensive assessment checklist. These come in many varieties, and range in size from one page to around one hundred – and there are trade-offs at both extremes. The Assessment Checklist used by the Cooks River EA&E Project is about 10 pages in length. Remember, though, that the Assessment Checklist defines the scope of the assessment, which may differ from one organisation to the next depending on the focus of the assessment program – e.g. is it pollution control, looking at actual or potential illegal emissions, or is it also about broader sustainability issues, such as energy efficiency, water conservation, recycling, public environmental reporting etc. With this in mind, all of the best documents are to some extent ‘living’ or ‘in process’ and will evolve with the needs of your organisation.

Objective – to have credibility, the assessment must be undertaken and directed by someone who does not have direct responsibility for the operation being assessed. Of course it is perfectly reasonable and strongly recommended to have someone with sufficient decision-making authority accompany you throughout the assessment. Of course this is the main opportunity to undertake environmental education, but there are a couple of other good reasons as well. These include:

- Allowing the business manager to gain a sense of ‘ownership’ of the assessment outcomes and
- Eliminating the (slim) possibility that you may be accused of tampering with any device, machine or apparatus on the premises if you are unaccompanied by someone with authority at any time.

Requirements for Environmental Auditor Registration.

Requirements	Associate	Auditor	Senior Auditor
Formal Education	Yes	Yes	Yes
Auditor Training	Yes	Yes	Yes
Work Experience	2 Years	5 Years	7 Years
Environmental Experience	1 Year	3 Years	5 Years
Auditing Experience	None	20 site days	Auditor + 5 audits as team leader

In addition, there is a substantial up-front registration cost as well as fees for applying Auditors must be re-certified every two years

So there we have environmental assessment in a nutshell. The next section will look at some of the skills you will need to develop to become good at observing.

Holistic assessment: the art of observation

Holism (sometimes called ‘Wholism’) is all about looking at the WHOLE rather than at the individual pieces. Holistic assessment is an environmental assessment method that looks at the *whole* of an operation or premises, not just the performance of say, its water pollution control devices or its spray booth filtration system.

How good are your skills at observation?

Clearly, if you are undertaking a holistic assessment, you need to be looking at EVERYTHING within (and often around, downstream and adjacent to) the premises, which can take both considerable concentration and a sophisticated level of observation and deductive skills. In modern society, most of us only use a tiny proportion of our capacity to observe or ‘read’ the landscape. When you consider that other people in our society who live closer to the natural environment – farmers, commercial fishers and even avid gardeners have learned to observe subtle changes in their environment – often because their livelihood depends on it – you can see just what skills you may be capable of when you practice using this technique.

Skill and Techniques:

One of the most important things that you can do to increase the range and attunement of your conscious senses is to BE COMFORTABLE in your surroundings. When people feel threatened, unsure of themselves, as though they are imposing on a persons time or otherwise less than comfortable, the range of their observational senses diminishes to the immediate space around their body.

See if you can observe this the next time you step into a crowded lift and everyone appears to be staring at you, or you visit a crowded party – notice how much less you can observe your surroundings at the start of the evening compared to later, when you're more comfortable.

The same rule applies when undertaking an assessment of someone's premises, especially remembering that this is their 'turf' or their territory, and if they wish to intimidate you through being short or pressuring you with the shortage of their time, it will diminish your capacity to detect signs of emissions or otherwise operate optimally.

Owning the space

One technique that actors and other performers use is to 'own the space' in which they are in. You can try this the next time you're on a bus or train carriage, the next time you are in a meeting or job interview, or even at the checkout. All you do is cast your eyes into the furthest reach of the room or space, and as you do so you imagine that it is now an area in which you feel perfectly comfortable – that you fully 'own'. When you do this on an assessment, you will noticeably become more 'grounded' and less easy to distract or intimidate.

Looking backwards

Another technique is to scan around the premises from right to left, and from the ground up. Because we read from left to right and down the page, our eyes can easily skip over details that are actually very important. By reversing this process, you allow your mind to focus on and analyse what you're seeing and, question question question the whole time.

- What does that do?
- Why is that there?
- How does that work?
- Where does that pipe lead to?
- What would happen if that was knocked or broken?
- What has caused that discolouration?
- What's on the other side of that partition?
- What happens to this material when it rains?
- Is that a stormwater drain?

And so on. Indeed your capacity to clear your mind of assumptions and preconceptions before you undertake an assessment will free your capacity to fully utilise the most powerful tool in your kit – the question – clever use of it is like shining a torch into the shadows. They don't just reveal what you know, but what you need to know as well.

The Cooks River Project: Methods and innovations

As we have seen, the Assessment process of the Cooks River EA&E Project had as one of its main objectives the goal of engaging with industry, to build ownership of both the problems of pollution and the solutions needed to fix them. The Environmental Assessment Officers were trained intensively in the use of powerful communications principles and techniques to get the best outcomes for the river and catchment, for the business manager and for the Project overall.

Assessment process

The assessment process is the commencement of one of the principal objectives of the project, which involves delivering environmental education, building strong rapport and laying the foundation for a positive relationship between the business manager and the Council. The assessment program can be summarised as follows:

1. Letter of introduction

A letter introducing the program (**Link to letter**) and an upcoming visit by an Assessment Officer to the businesses is hand delivered approximately seven days prior to the visit. In most cases an appointment for the site assessment is made at this time.

The Cooks River EA&E Project documentation was drafted very carefully, to convey the 'opportunity not threat' message clearly and to incorporate a range of phrases to cover different learning styles – e.g. **Visual** – 'give a clearer picture'.

Auditory – 'share the information'; and **Kinaesthetic** – 'give the opportunity to get a handle on the issues'.

2. Environmental assessment

The assessment (**Link to Assessment Checklist**) should always follow no later than a week after the letter drop.

The 'factory floor walk-through' occurs here, focusing on workplace operations and workplace procedures. This is also the first opportunity to deliver face-to-face environmental education and build strong rapport.

The Cooks River Project also developed and used a detailed Questionnaire (**Link to Questionnaire**), which provided several opportunities:

- Gathering information (data) on knowledge, skills and values of business managers across the catchment – and when you consider that a survey of up to 1500 small to medium enterprises (SMEs) on this scale not previously undertaken in Australia, this information can be valuable to a range of stakeholder organisations (e.g. DEC Ethnic Communities Council of NSW, Local Government Association of NSW and Shires Association of NSW) and can help develop and refine future education programs.

Getting the business manager to focus on what's going on during the assessment, often for the first time.

- Gaining strong rapport, through behavioural mirroring (body language, voice tonality etc).

3. Business assessment report

A written Business Assessment Report is prepared as a formal response to the assessment. The report aims to give a concise summary of environmental performance for various work practices and procedures (**Link to Response Letters**)

4. Environmental education

A variety of complimentary environmental education materials are also included with the Business Assessment Report. These may include:

- A recycling directory, an industry poster, promotional materials or 'freebies', such as mugs, brooms, calico bags, catchment maps, aerial photos of the industrial estate etc (Use your imagination and what you know of NLP principles).
- Staff information sheets, with pictures.

5. Schedule of Works

A Schedule of Works (**Link to Example Schedule**) may need to be issued due to an unsatisfactory work practice or operation. The schedule will list the problem, request an alternative method or procedure and a pre negotiated date for compliance is set.

The Cooks River Project report would issue a Schedule of Works for most premises, taking the form of a table, with headings that allow easy recognition of what needs to be done, what priority it is, why it needs to be done, the potential penalties and consequences of not doing it and suggested contacts to get it done. A Schedule was issued for some low priority items that may not even constitute 'works' as such, because the layout of the table was found to be helpful to most business managers.

6. Compliance inspection

A follow-up compliance inspection is carried out on or close to the due date to ensure that works have been carried out in accordance with the Schedule of Works (**Link to Follow up Letters**).

7. Follow-up Schedule of Works

If there is still work to be done, a follow-up Schedule of Works is issued, with all time frames for outstanding works being immediate.

Beyond this point, a Cooks River Assessment Officer would flag the premises file with the relevant Council Authorised Officer, for further action

Adapted from Environmental Assessment of Industry: Council Start-up Kit, Marrickville City Council, 2000